

No. 48.
Sir Geo. Arthur
to Lord John Russell.
Nov. 22, 1839.

Encls. in No. 48.

but that, in the spirit of the same, they are to pursue any course of investigation, which may appear to them expedient.

SHERIFFS, AND CLERK OF THE CROWN AND PLEAS.

Committee No. 6.

MEMBERS:—

Their Honours the Judges,

This committee will inquire into the manner in which the duties of these important offices have been performed.

They will consider whether any alteration is required in the amount and description of the security furnished by the sheriffs, under the existing law, for the due performance of their duties.

They will further consider whether the monies of suitors coming into the hands of sheriffs, or their officers, when not promptly paid over to the parties to whom they belong, might not advantageously be placed in deposit in one of the chartered banks, instead of being left in the sheriff's possession.

They will ascertain if monies collected by the sheriffs on behalf of the Crown, are regularly and promptly transmitted by them to the Receiver-General; and if not, they will suggest such arrangements as will best insure punctuality and exactitude.

They will inquire into the mode and expense of conveying prisoners from one place to another; and will suggest any measures of improvement that may seem to them expedient.

In connexion with the duties of the sheriffs, the committee will report generally upon the state of the public gaols, and the system of discipline pursued in them.

As regards the office of clerk of the Crown and Pleas, the committee will inquire into the nature and extent of the duties appertaining to it; and will report any changes of arrangement which they may think advisable.

They will consider also the extent and nature of the emoluments; the assistance necessary for the efficient performance of the duties of the office; and the advisability of substituting fixed salaries for fees, as the mode of remuneration.

As the object of the appointment of the commission is to investigate generally all matters of public interest connected with the several departments, this committee will understand that they are not restricted to limit their inquiries by the strict letter of the foregoing queries; but that, in the spirit of the same, they are to pursue any course of investigation which may appear to them expedient.

COURTS OF REQUEST,

AND COMMISSIONERS OF THOSE COURTS.

Committee No. 7.

MEMBERS:—The Law Officers.

This committee will examine the constitution of these Courts in their present state, and consider their efficiency as at present constituted; and whether some alteration in the law might not be made, by which they would be rendered more useful to the community.

Whether some mode of investigating the conduct of the commissioners, upon complaints being made against them by the public, might not be rendered effective.

Whether it would be practicable or beneficial to do away with the present system of compensating the commissioners by fees, and to substitute a fixed but moderate annual stipend, levied either by assessment on the district, or by a tax on each suit, collected by the clerk, and paid to the commissioners by the treasurer of the district; or whether an improvement in the system could be effected in some other and better manner.

Whether it might be practicable to provide for the recovery of small debts in a manner more consistent with the fixed principles of law and equity, by dispensing with the services of the numerous commissioners, now sitting in the Courts of Request, and by substituting a system of occasional Circuit Courts through each district, by the judge of the District Court, with summary powers of decision to the extent of 10*l.*, and liberty of appeal to a jury, at the ensuing regular term of District Court, in all cases above 5*l.*, or by some other system.

As the object of the appointment of the commission is to investigate generally all matters of public interest connected with the several departments, this committee will understand that they are not restricted to limit their inquiries by the strict letter of the foregoing queries; but that, in the spirit of the same, they are to pursue any course of investigation which may appear to them expedient.